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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 ISABEL APARECIDA AULER, et al.,
8 Plaintiffs,
9 v.
10 THE HERTZ CORPORATION, et al.,
11 Defendants.
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Case No. 2:18-cv-01522-JAD-BNW

ORDER

13 Presently before the court is defendant Hertz's Motion for Issuance of Requests for
14 International Judicial Assistance ("Letters Rogatory") (ECF No. 32), filed on May 10, 2019.
15 Counsel for plaintiffs Isabel Aparecida Auler and Carlos Alberto Rodrigues De Freitas and
16 counsel for defendant Robert Charles Stevens stated at a hearing held before this court on May
17 21, 2019 that they did not oppose this motion.

18 Having reviewed the motion, and there being no opposition, this court will sign the two
19 original Letters Rogatory in the English language attached as Exhibit A to ECF No. 32. The court
20 notes Hertz provided copies of the Letters Rogatory that were translated in Portuguese, but
21 Hertz's motion does not specifically request that the court sign the Portuguese documents. To the
22 extent Hertz also requests the court to sign the Portuguese documents, Hertz may make an
23 appropriate motion and must include an appropriate translator's declaration regarding the
24 accuracy of the translation as Hertz did in this motion.


25 IT IS SO ORDERED.

26 IT IS FURTHER ORDERED that the Clerk of Court is to: (i) make the Letters Rogatory
27 signed by this court a part of the record by entering them on the electronic docket, (ii) place the
28 court's official embossed seal upon each signed Letters Rogatory; (iii) make these signed Letters

1 Rogatory with the embossed seal available for pick-up by Hertz's counsel at the Clerk of Court's
2 office.

3 IT IS FURTHER ORDERED that upon receipt of the evidence requested, Hertz's counsel
4 must file in the electronic record the certificate evidencing that the Letters Rogatory have been
5 executed.

6 DATED: May 22, 2019

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9 BREND A WEKSLER
10 UNITED STATES MAGISTRATE JUDGE
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ISABEL APARECIDA AULER, an individual,
CARLOS ALBERTO RODRIGUES DE
FREITAS, an individual,

Plaintiffs,

vs.

THE HERTZ CORPORATION, a Delaware
corporation, ROBERT CHARLES STEVENS,
an individual, and DOES 1-10. Inclusive,

Defendants.

No. 2:18-cv-01522

**REQUEST FOR INTERNATIONAL
JUDICIAL ASSISTANCE
(LETTERS ROGATORY)**

The UNITED STATES DISTRICT COURT, DISTRICT OF NEVADA presents its compliments to the appropriate judicial authority of Brazil, and requests international judicial assistance to obtain evidence to be used in a civil proceeding before this Court in the above captioned matter. A Trial is not presently scheduled on this matter.

The Court requests the assistance described herein as necessary in the interests of justice. The assistance requested is that the appropriate judicial authority of Brazil compel the appearance of the below named individuals to produce documents:

1. Rede D'Or Sao Luiz

Rua Engenheiro Oscar Americano

840 – São Paulo – SP – CEPT 05673050

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1 **2. Hospital São Luiz**

2 Rua Engenheiro Oscar Americano, 840 – Jardim Guedala,
3 São Paulo – SP, 05605-050, Brazil
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6 **3. Dr. Pedro Paulo Porto, Jr.**

7 Av. Albert Einstein, 627 – Bloco A1 – 3 andar – Sala 309
8 Morumbi – São Paulo – SP – CEP: 05652-900
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11 **4. Delphin Aziz Hospital**

12 Av. Torquato Tapajos
13 Manaus - Brazil 69063-449
14

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16 **5. Dr. Americo Zoppi Filho**

17 Rua Barata Ribeiro, 380 – cj 21 – 12 Andar, Bela Vista 01308-050
18 Sao Paulo
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21 **6. Candida Helena Pires De Camargo**

22 Rua Maranhao, 00544, Higeonopolis,
23 CEP 1240, Sao Paulo, Brazil
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26 **7. Elisabela Gomes Faustino**

27 Rua Bacurubu, 7
28 Vila Verde, Sao Paulo – SP CEP 08230-580

8. Home Angels Unidade Santa Cecilia

Av. Fancisco Matarazzo, 1752 Agua Branca

Sao Paulo – SP 05001-200

9. Ismair F. Lourenco

Rua Sao Francisco de Assis

150 apto 64 bloco 2

Diadema – SP 09911-000

10. Danielle Mayumi Takeishi Ossanai

Av. Professor Ascendino Reis

724 Vila Clementino, Sao Paulo – SP 04027-000

11. Mensa Distribuidora

Rua Rio Bonito, 1682 Bras

Sau Paolo – SP 03023-000

12. Gino Material Hospitalar

R. Dr. Rafael de Barros

609 Paraíso, Sao Paulo – SP 04003-041

Documents to be produced: Copies of all medical records, x-ray films and reports, and billing for any and all medical treatment of Isabel Aparecida Auler, DOB: XX-XX-1961.

1 **FACTS**

2 This is a civil case involving an automobile incident that took place on January 01, 2017, in
3 Las Vegas, Nevada. It is alleged that Plaintiff Isabel Auler (a Brazilian citizen) was struck by a
4 vehicle being driven by Defendant Robert Charles Stevens at Defendant Hertz's rental car return
5 area. Plaintiff Auler alleges injuries from the incident, and sought medical care both in Las Vegas,
6 Nevada, and in her home Country of Brazil. Plaintiff Auler's medical records and bills from Brazil
7 are important because they provide evidence related to her alleged injuries and damages in this case.
8

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10 The purpose of this Request for International Judicial Assistance is to allow Defendant Hertz
11 to subpoena Plaintiff Auler's medical records from her medical providers in Brazil. The subpoena
12 in English and Portuguese to Rede D'Or Sao Luiz is attached hereto as "**Exhibit A.**" The subpoena
13 in English and Portuguese to Hospital São Luiz is attached hereto as "**Exhibit B.**" The subpoena in
14 English and Portuguese to Dr. Pedro Paulo Porto, Jr. is attached hereto as "**Exhibit C.**" The
15 subpoena in English and Portuguese to Delphin Aziz Hospital is attached hereto as "**Exhibit D.**"
16 The subpoena in English and Portuguese to Dr. Americo Zoppi Filho is attached hereto as "**Exhibit**
17 **E.**" The subpoena in English and Portuguese to Candida Helena Pires De Camargo is attached
18 hereto as "**Exhibit F.**" The subpoena in English and Portuguese to Elisangela Gomes Faustino is
19 attached hereto as "**Exhibit G.**" The subpoena in English and Portuguese to Home Angels Unidade
20 Santa Cecília is attached hereto as "**Exhibit H.**" The subpoena in English and Portuguese to Ismair
21 F. Lourenco is attached hereto as "**Exhibit I.**" The subpoena in English and Portuguese to Danielle
22 Mayumi Takeishi Ossanai is attached hereto as "**Exhibit J.**" The subpoena in English and
23 Portuguese to Mensa Distribuidora is attached hereto as "**Exhibit K.**" The subpoena in English and
24 Portuguese to Gino Material Hospitalar is attached hereto as "**Exhibit L.**"
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1 The Brazilian medical providers will not produce the medical records of Plaintiff Auler
2 unless Defendant Hertz follow the letters rogatory process. Plaintiff Auler has agreed to release her
3 medical records to Defendant Hertz and has signed an Authorization to Disclose Health
4 Information, which is attached hereto as "**Exhibit M**," in both English and Portuguese. Defendant
5 Hertz would like the court's assistance with obtaining the requested medical records and
6 information through the letters rogatory process.
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9 **RECIPROCITY**

10 This requesting Court is agreeable to providing similar assistance to the appropriate judicial
11 authority of Brazil.

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13 **REIMBURSEMENT FOR COSTS**

14 This requesting Court is agreeable to reimbursing the appropriate judicial authority of Brazil
15 for costs incurred in executing the requesting court's letters rogatory.
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19 Magistrate Judge
20 UNITED STATES DISTRICT COURT
21 DISTRICT OF NEVADA
22 Las Vegas, NV USA
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28 Date: May 22, 2019

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DISTRICT OF NEVADA

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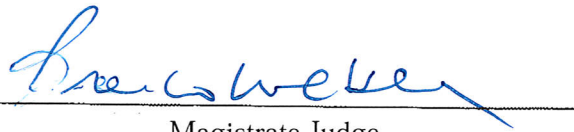
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